

Serial No.: 10/672,337

Attorney Docket No.: 2003P08216US

**REMARKS**

Upon entry of the instant Amendment, Claims 1-6, 8-9, and 11-23 are pending. Claims 1, 8, and 15 have been amended to more particularly point out Applicants' invention.

Claims 1-6, 8-9 and 11-23 were rejected under 35 U.S.C. §103 as being unpatentable over Kalthoff et al., U.S. Patent Publication No. 2001/0048364 ("Kalthoff") in view of Kim, U.S. Patent Publication No. 2001/0046215 ("Kim"). Applicants respectfully submit that the claimed invention is not taught, suggested, or implied by Kalthoff or Kim, either singly or in combination.

As discussed in the Specification and in response to the previous Official Action, a telecommunications system according to an embodiment of the present invention includes a plurality of network clients including a positioning controller and a communications controller; and a positioning server including a coordinating controller for maintaining a database of network clients to be tracked and provide updates of position-related information to a presence server. The plurality of network clients are configured to transmit position information received via the positioning controller to the positioning server via the communications controller, the positioning information including information related to loss of a position signal. In certain embodiments, presence-position correlation rules accommodate the loss of signal. Thus, in certain embodiments, the system assigns a location to the device responsive to such a loss, based on prior position signal information. In some embodiments, the position may be associated with a contact telephone number, that may be updated when the loss of signal occurs. In some embodiments, the contact telephone number is one of a plurality selected based on the presence-position correlation rules.

In contrast, Kalthoff relates merely to devices that identify a user location and allow other users to tell when another user is within a predetermined distance or at other times. In some embodiments of Kalthoff, the device is a mobile telephone.

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However, the contact at the mobile telephone remains the same regardless of where the phone is located (i.e., at the mobile telephone).

As acknowledged in the Official Action, Kalthoff does not provide for alternative contact information updates associated with the location, as generally recited in the claims at issue. Instead, Kim is relied on for such teaching. However, Kim provides for a mobile station receiving a service from a public or private base station based upon registration of the mobile station, not on the mobile station's location. Indeed, it appears that the actual position of the mobile station is irrelevant. Thus, if anything, Kim teaches away from combination with Kalthoff.

Furthermore, Applicants note that the present invention provides for "presence" features including, in some of the claims, a "presence server" or a database of presence-position correlation rules at a server. No such server is found in either Kalthoff or Kim. Kalthoff provides a data processing system 28 that includes positioning handling, but not presence-position correlation rules, as generally recited in the claims at issue; Kim relates not to a presence system but merely to a "unified communications" system.

As such, the Examiner is respectfully requested to reconsider and withdraw the rejection.

For all of the above reasons, Applicants respectfully submit that the application is in condition for allowance, which allowance is earnestly solicited.

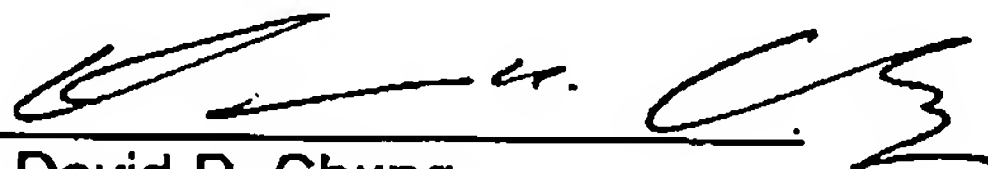
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Respectfully submitted,

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